



PATENT
Attorney Docket No. CON-004
(1790/66)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT:

Engel

SERIAL NO.:

09/401,874

GROUP NO.:

2114

FILING DATE:

September 23, 1999

EXAMINER:

Le, Diet-Minh T

TITLE:

IDENTIFYING A FAILED DEVICE IN A NETWORK

CERTIFICATE OF FIRST CLASS MAILING UNDER 37 C.F.R. 1.8

I hereby certify that this correspondence, and any documents referred to as enclosed herein, are being deposited with the United States Postal Service as first class mail, postage prepaid, in an envelope addressed to Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this 7th day of January, 2005.

Alison R. Sher

Mail Stop Amendment Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

Submitted herewith are:

- 1. Transmittal Form (1 pg.);
- 2. Fee Transmittal Form (1 pg.);
- 3. Check No. 240116 in the amount of \$180.00;
- 4. Second Information Disclosure Statement (2 pgs.);
- 5. Form PTO-1449 (1 pg.);
- 6. Copies of IDS Citations (C1-C3); and
- 7. Return Receipt Postcard.

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100	1 0 2005 6		Application	Serial Number		09/401,874				
B JAN			Filing Date		1	September 23, 1999				
E.	TRANSMITTA		First Named Invento			Engel .				
V	TRANSMITTA	T	Group Art U	nit . 211		114				
		LL	Examiner N	ame		Le, Diet-Minh T				
	FORM		Attorney Do	ocket No.	1	CON-004 (1790/66)				
			Patent No.		1	Not applicable				
			Issue Date]	Not applicable				
ENCLOSURES (check all that apply)										
⊠ Fee	Transmittal Form (1 pg.)		Copy of Notice Parts of Applic	e to File Missing cation		Notice of Appeal to Board of Patent Appeals and Interferences				
	☑ Check Attached☐ Copy of FeeTransmittal Form		Formal Drawir	ng(s)		Appeal Brief (in triplicate)				
□•	Amendment/Response Preliminary		Request For Contraction (Internation (Intern			Status Inquiry				
-	After Final Affidavits/declaration(s) Letter to Official		Power of Attor	Power of Attorney Revocation of Prior Powers)		Return Receipt Postcard Certificate of First Class Mailing				
	Draftsperson including Drawings	_				under 37 C.F.R. 1.8				
	[Total Sheets]		Terminal Disclaimer			Certificate of Facsimile Transmission under 37 C.F.R. 1.8				
	Petition for Extension of Time		Executed Declaration and Power of Attorney for Utility or Design Patent Application			Additional Enclosure(s) (please identify below)				
	Second Information Disclosure Statement (2 pgs.)		Small Entity S	tatement						
	Form PTO-1449 (1 pg.) Copies of IDS Citations (C1-C3)		CD(s) for large table or computer program			·				
	Certified Copy of Priority Document(s)	Amendment A		ertificate of e of Correction (in						
			Request for Ce Correction Certificate duplicate)							
CORRE	ESPONDENCE ADDRESS			SIGNATURE BL	OCF					
Direct all correspondence to: Patent Adm Testa, Hurv High Street 125 High S Boston, MA Tel. No.: (6 Fax No.: (6		vitz & Thi Tower Street A 02110 517) 248-7	7000	Date: January 7, 2005 Reg. No. 50,389 Tel. No.: (617) 248-70 Fax No.: (617) 248-71						

JAN 1 0 2005 JAN 1 0 2005

	Complete if Known
Application Serial Number	09/401,874
Filing Date	September 23, 1999
First Named Inventor	Engel
Group Art Unit	2114
Examiner Name	Le, Diet-Minh T
Attorney Docket No.	CON-004 (1790/66)

RADEMAR METHOD OF PAYMENT	FEE CALCULATION (continued)						
1. A Payment Enclosed:	3. ADDITIONAL FEES						
Check Money Order Other	Large	Small					
	Entity	Entity					
2. The Commissioner is hereby authorized to credit	Fee	Fee	Fee Description	Fee Paid			
or charge any fee indicated below for this submission	(\$)	(\$)	·	ı			
to Deposit Account No. 20-0531.			•				
Required Fees (copy of this sheet enclosed).	130	65	Surcharge - late filing fee or oath				
Additional fee required under 37 CFR 1.16 and	50	25	Surcharge - late provisional filing fee				
1.17.			or cover sheet				
Overpayment Credit.	130	130	Non-English specification				
3. Applicant claims small entity status.	2,520	2,520	Request for ex parte reexamination				
FEE CALCULATION	120	60	Extension for reply within first month				
FILING/SEARCH/EXAM/SIZE FEES	450	225	Extension for reply within second				
•	·		month				
Large Entity	1020	510	Extension for reply within third month				
Fee (\$) Fee Description Fee Paid	1590	795	Extension for reply within fourth				
• ` `	l		month				
	2160	1080	Extension for reply within fifth month				
300 Utility filing fee	500	250	Notice of Appeal				
500 Utility search fee	500	250	Filing a brief in support of an appeal				
200 Utility exam fee	1000	500	Request for oral hearing				
Utility size fee (each add'l 50 pgs. over 100)	400	400	Petitions to the Commissioner (Gp. I)				
200 Design filing fee	200	200	Petitions to the Commissioner (Gp. II)				
100 Design search fee	130	130	Petitions to the Commissioner (Gp. III)				
130 Design exam fee	180	180	Submission of Information Disclosure	180.00			
250 Design size fee (each add'l 50 pgs. over 100)			Statement				
	790	395	Filing a submission after final				
			rejection (37 CFR 1.129(a))				
Number Number Rate Amount	790	395	For each additional invention to be				
Filed Extra			examined (37 CFR 1.129(b))				
Total Claims $-20 = x $50.00 =$	100	100	Certificate of Correction for	l			
T. Anna Anna	120	(5	applicant's error				
Independent	130	65	Submission of Terminal Disclaimer				
Claims $-3 = x $200.00 =$		(Specify)		<u> </u>			
Nukink Danaskast Claim(a) if any 6260.00	Other ree	(Specify)					
Multiple Dependent Claim(s), if any \$360.00 = TOTAL:							
SMALL ENTITY DISCOUNT:				1			
SUBTOTAL (1) $(\$)$ 0	1		•				
2. AMENDMENT CLAIM FEES							
Claims Highest No. Present Rate Fee Paid	ĺ		SUBTOTAL (3) (\$)	180.00			
Remaining Previously Extra							
After Amend. Paid For							
	ļ		avmmam.r. (1)				
Total - = $x $ 50.00 =$			SUBTOTAL (1)	0			
Indep = x \$ 200.00 =	SUBTOTAL (2) 0						
First Presentation of Multiple Dep. + \$ 360.00 =			SUBTOTAL (3)	180.00			
Claim							
TOTAL: (\$) SMALL ENTITY DISCOUNT: (\$)							
	TOTAL (0) 100 00						
SUBTOTAL (2) (\$) 0	TOTAL (\$) 180.00						
CORRESPONDENCE ADDRESS	SIGNATURE BLØCK						
Direct all correspondence to:			Respectfully submitted	//			
Patent Administrator				/			
Testa, Hurwitz & Thibeault, LLP	Date: Januar		1 00000	_ />			
High Street Tower-125 High Street	Reg. No.: 50		Robert 8. Blasi, Esq.	/			
Boston, MA 02110	Tel. No.: (61			/			
Tel. No.: (617) 248-7000	Fax No.: (6	17) 248-710					
Fax No.: (617) 248-7000			High Street Tower-125 High	Street			
1 ax 110 (017) 240-7100	Boston, MA 02110						



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SECOND INFORMATION DISCLOSURE STATEMENT

In accordance with the provisions of 37 C.F.R. 1.97 and 1.98, Applicant hereby makes of record the patents and publications listed on the accompanying Form PTO-1449, and other information contained herein, for consideration by the Examiner in connection with the examination of the above-identified patent application. In accordance with the U.S. Patent Office's partial waiver of the requirement under 37 C.F.R. 1.98(a)(2)(i), only copies of the non-patent publications (C1-C3) are enclosed.

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REMARKS

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ın	accordance with the	provisions	OT 3/L.P.K.	1 4/	inis siaiemeni	-18	neino	11160	LLHELK	UNICL

	(1)	within three (3) months of the filing date of a national application other than a continued prosecution application under 37 C.F.R. 1.53(d), or within three (3) months of the date of entry of the national stage as set forth in 37 C.F.R. 1.491 in an international application, or before the mailing of the first Office action on the merits, or before the mailing of a first Office action after the filing of a request for				
		continued examination under 37 C.F.R. 1.114; or				
\boxtimes	(2)	after the period defined in (1) but before the mailing date of a final action or a notice of allowance under 37 C.F.R. 1.311, and				
		the requisite Statement is below, OR				
	\boxtimes	the requisite fee under 37 C.F.R. 1.17(p), namely \$180.00, is included herein, or				

	(3)		e issue fee, AND
		the re	equisite Statement is below, AND
		the re	equisite petition fee under 37 C.F.R. 1.17(p), namely \$180.00 is included herein.
	-	•	equested that each of the patents and publications listed on the attached Form formation contained herein, be made of record in this application.
			STATEMENT
, A	s requir	ed under	37 C.F.R. 1.97(e), Applicant, through the undersigned, hereby states either that
[check	the app	propriate	e space only if either (2) or (3) is checked on the previous page <u>and</u> the
Statem	nent is r	equired]	;
		1.	Each item of information contained in the Information Disclosure Statement was
			first cited in any communication from a foreign patent office in a counterpart
			foreign application not more than three months prior to the filing of the
			Information Disclosure Statement; or
		2.	No item of information contained in the Information Disclosure Statement was
			cited in a communication from a foreign patent office in a counterpart foreign
			application, and, to the knowledge of the person signing this Statement after
			making reasonable inquiry, no item of information contained in the Information
			Disclosure Statement was known to any individual designated in 37 C.F.R.
			1.56(c) more than three months prior to the filing of the Information
			Disclosure Statement.
			Respectfully submitted
Date: .	January	7, 2005	/ Was
Reg. N	lo. 50,38	39	Robert 8. Blasi, Esq.
			Attorney for the Applicant / Testa, Hurwitz, & Thibeault, LLP
Tel. No	o.: (617)	248-709	
		248-710	0 125 High Street
			Boston, Massachusetts 02110

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FORM PTO - 1449				ATTORNEY DOCKET NO.: CON-004 (1790/66)							
		ORMATION	DISCLOSUI	RE	APPLICA	ANT: E	ingel				
STATEMENT				SERIAL N	VO.: 09/	401,874					
					FILING I	DATE: Se	eptember	23, 1999			
					GROUP:	2114	-				
			U.S.	PATENT	DOCUM	ENTS					
EXAM. INIT.		DOCUMENT NUMBER	DATE	NAME				CLASS SUB CLASS		FILING DATE IF APPROPRIATE	
	A2	5751965	5/12/98	Desroche	es et al.						
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			FOREIC	SN PATE	NT DOCU	JMENT	S .			·	
EXAM. INIT.		DOCUMENT NUMBER	DATE	COUNTRY			FILING DATE	ABSTRACT ONLY		ENGLISH LANG (Y/N)	
			v							-	
		<u> </u>	OTHER AR	RT, JOUR	NAL ART	ICLES,	ETC.				
EXAM. INIT.	OTH	IER DOCUMEN	ITS: (Includii	ng Author,	Title, Date,	Relevant	Pages, Pla	ace of Pub	olicati	ion)	
	C1	International Pr	eliminary Exan	nination Rep	ort of PCT/U	S00/26051	; mailed De	ec. 14, 200	1.		
	C2	European Search Report of 00963723.2-2413 ex rel PCT/US00/26051; mailed Feb. 12, 2003.									
	C3	Communication pursuant to EPC Article 96(2) of 00963723.2-2413 ex rel PCT00/26051; mailed May 16, 2003.									
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EXAMIN	VER				DATE CO	ONSIDE	RED				

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